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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: January 18, 2022
RESUBMITTED: February 14, 2022



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Furbearer Regulations
Wildlife Conservation Order Amendment No. 1 of 2022

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background

The Department and stakeholders review the furbearer regulations on a two-year cycle to provide consistency in regulations. More consistent regulations provide for better understanding by hunters and trappers, as well as facilitate monitoring of the impacts of regulation changes. A two-year cycle also allows more time to consider potential regulation changes.

For 2022, there are several changes proposed resulting from discussions with stakeholder groups and Department staff. The issues reviewed were selected from a running list developed with input by the Furtaker User Group, Department staff, and other stakeholders. The Furtaker User Group, a group of fur harvesters impacted by harvest regulations, met with Department staff on September 8, 2021, to provide input on selected issues. The main objectives of the proposed changes are to effectively manage furbearer populations and to increase recreational opportunities where feasible. This memorandum summarizes the review of these items, even if no regulation changes are recommended.

Bobcat Season Structure in the Northern Lower Peninsula

Stakeholders have requested that the Department consider modifying/expanding the bobcat hunting and trapping seasons in the Northern Lower Peninsula (NLP). Specifically, the requests include extending the trapping season dates to include two full weekends and expanding the bobcat hunting and trapping seasons to the Southern Lower Peninsula (SLP). Additionally, the Department has an interest in combining Bobcat Management Units (BMU) to simplify and create consistent regulations across the NLP whenever feasible. One of the Department's objectives to managing bobcats is to provide additional recreational opportunities without negatively impacting populations.

The Department has reviewed multiple potential season structure modifications that could expand opportunities for hunters and trappers likely without significantly increasing bobcat

harvest. After discussions with stakeholders and Department staff, along with the biological and social review of each request, the Department recommends the following changes to the NLP bobcat season structure:

1. Modify the existing bobcat trapping season in all NLP BMUs to allow for a 20-day season, which would include at least two full weekends. The bobcat trapping season is recommended to be December 10 through December 29.
2. Combine BMUs E and F to create a new BMU called BMU G.
3. Include all of Bay County in new BMU G.
4. Modify the existing bobcat hunting season in the new BMU G to allow for a 20-day season, which would include at least two full weekends. The bobcat hunting season in new BMU G is recommended to be January 1 through January 20.
5. Move Arenac County into Unit D and include the entire County.

Issues Pros and Cons

The proposed recommendations expand bobcat hunting and trapping opportunities in the NLP. It allows for an additional nine days of both hunting and trapping seasons in all NLP units for trapping and two NLP units for hunting, which provides more time for hunters and trappers to be in the field to harvest a bobcat. Some bobcat hunters and trappers may support a longer season; however, the Department's recommendation is a more significant increase in season length than most trapping stakeholder groups proposed, which was adjusting the 11-day season timing to always include two weekends. Most stakeholder groups supported the concept of merging units when the regulations were the same and there was not a management need to continue to have separate units. However, not all stakeholder groups were uniform in their support of how the Department might accomplish the goal of creating the same regulations across all units. Combining harvest units when there isn't a management need to have separate BMUs simplifies and creates consistent regulations. Such changes are most effective when fully supported by stakeholder groups and when they occur with minimal reductions in opportunity.

As is often the case with changing management units, there may be some confusion regarding the new season structure, however the Department will continue effective communications and customer service related to the new regulations. For the first year of the unit change, eLicense kill tags will not have the correct unit letters. This will require extra communication with the 25 percent of bobcat harvesters that acquire kill tags through eLicense.

Biological

Bobcat harvest effort indices suggest that populations are stable throughout the NLP. The bobcat bag limit remains at one bobcat in the NLP. A modest increase in season length is unlikely to create significantly higher harvest; therefore, the Department does not expect a significant biological impact. NLP population indices have remained stable despite several expansions of opportunity over the past decade, suggesting a robust and resilient population. Population indices will continue to be monitored to evaluate any potential population changes and regulations will be adjusted if necessary to maintain bobcat populations.

Social

Bobcat trappers have requested that the Department consider modifying the existing bobcat trapping season dates in the NLP so that it includes two full weekends. The Department has an interest in simplifying BMUs and season structures in the NLP if it does not negatively impact populations or create a significant negative consequence for recreational opportunities. Stakeholders, including hunting groups, have expressed support for allowing bobcat trappers to have two full weekends in the NLP. They also are generally supportive of combining harvest units and simplifying regulations. However, there is a lack of uniformity in support for how the

Department may modify regulations across units to make them the same and allow for merging units. As a result, for this year's regulation cycle the most accepted option is to recommend combining only those units which already have the same regulations and to move some regulations closer to uniformity by increasing season length in some units.

Economic

Increases in season length may increase the number of trips, or the amount of time hunters and trappers spend pursuing bobcats.

Extend Bobcat Hunting and Trapping Opportunities to SLP Counties

Stakeholders and Department field staff have requested to expand the bobcat hunting and trapping season to SLP counties to provide additional recreational opportunities for both bobcat hunters and trappers. After discussions with stakeholder groups and Department staff, the Department recommends opening bobcat hunting and trapping by creating a new BMU. Proposed BMU H would include the counties of Muskegon, Montcalm, Gratiot, Saginaw, Ottawa, Kent, Ionia, Clinton, and Shiawassee counties.

The proposed season structure for BMH H would include:

- An 11-day trapping season from December 10 to 20 on public and private land.
- An 11-day hunting season from January 1 to 11 on public and private land.

Issues Pros and Cons

There has been a desire to have more bobcat harvest opportunities in the Lower Peninsula (LP). Expanding the bobcat hunting and trapping seasons to the SLP will allow the opportunity to take bobcats for more private landowners and expand the area open to harvest bobcats, providing additional options for bobcat hunters and trappers. This expansion is unlikely to significantly increase the number of individuals hunting and trapping for bobcats but will distribute bobcat harvesters over a larger portion of the state. As a result, the Department does not anticipate a large increase in the number of bobcats harvested but rather that bobcat harvest will be distributed over a larger area over occupied bobcat range.

Biological

The Department has been receiving trail camera pictures and other anecdotal reports from the public of bobcats in southern Michigan and these reports include confirmation of successful bobcat reproduction. These reports have been increasing and coming from more areas of southern Michigan throughout the past decade or two. In addition, staff have been able to detect bobcats on Department trail cameras on southern State Game Areas. However, the Department does not have survey data on bobcats in non-harvest counties in southern Michigan. Limited harvest in specific SLP counties would allow the collection of data on bobcats through mandatory registration and aid in the enhancement of the knowledge of the distribution and trends in populations. Bobcat harvest in these counties is most likely to further distribute harvest pressure and is unlikely to result in a significant increase in the number of individuals pursuing bobcat or overall LP bobcat harvest. There is no current evidence that this regulation would have a population level impact, especially given that the bobcat population throughout the LP has connectivity that allows for bobcat movement throughout its occupied range.

Social

All major hunting and trapping organizations support expanded opportunity. This recommendation is generally supported by both hunting and trapping organizations, as well as Department staff in the SLP. Some stakeholder groups are not in agreement with what portions

of the SLP should be opened to bobcat hunting and trapping, while others are in support for opening the entire LP.

Economic

The Department does not expect an economic impact. There may be some shifts in travel for bobcat hunting and trapping activity.

Allow the Use of Cage Traps for Bobcats in all LP BMUs

Current bobcat harvest regulations allow for the use of cage traps in the Upper Peninsula (UP) but not in the LP. This is due to a technical oversight when cage trap regulations were amended to clarify their use in 2014. Currently, trappers may only use foothold traps in the LP. To provide additional tools for the take of bobcats, the Department recommends allowing the use of cage traps for the take of bobcats during the bobcat trapping season in all BMUs in the LP.

Issues Pros and Cons

Use of cage traps will provide an additional tool that trappers may find effective and useful in certain situations to harvest bobcat, primarily in dealing with bobcats in more urban areas or near homes and farms. Very few people are expected to use cage traps for bobcats, but they are a good tool in those special situations. Cage traps are legal for use in taking other furbearers in the LP.

Biological

This recommendation is unlikely to impact bobcat harvest.

Social

Stakeholders and Department staff were supportive of the use of cage traps for taking bobcats in the LP. There were few concerns raised about the addition of this tool.

Economic

This recommendation is unlikely to have an economic impact.

Bobcat Harvest Regulations in the UP

In 2009, the bobcat trapping season in the UP was shortened from October 25 through March 1 to December 1 through February 1, and the bobcat hunting season in the UP was shortened from December 1 through March 1 to January 1 through March 1 in an effort to reduce bobcat harvest and help reduce declining trends in bobcat populations in the UP. The shorter season has not been well supported by bobcat trappers, particularly in the western UP. The Department consistently receives input from trappers requesting a return to the longer bobcat season, as well as a bobcat bag limit increase. At the same time the Department receives requests to reduce bag limits and retain current season lengths from hunting stakeholder groups. In 2018, recommendations reducing bobcat bag limits were discussed at a Natural Resources Commission (NRC) meeting. Stakeholders came with differing views and the discussion led to modifications to the Department's recommendation, retaining a second kill tag but on private land only. These opposing perspectives on bobcat populations and regulations make bobcat harvest issues contentious and difficult to develop consensus opinions from which to develop recommendations. During our September Furtaker User Group meeting, trapping stakeholder groups consistently combined the desire for a longer season with their desire to have an October 25th start date. Based on input received since the February 10, 2022 NRC meeting, the Department recommends adjusting the UP trapping season (BMUs A and B) to begin on October 25 and continue through December 26.

Bobcat populations are assessed primarily through the use of bobcat harvest effort trends (the average number of days it takes to harvest a bobcat). This index suggests that bobcats are stable in the UP but are likely at lower levels than approximately 20 years ago. Stakeholder input on UP bobcat population trends is mixed; trappers often advocate for higher harvest and suggest populations are doing well, while hound hunters often advocate for reducing harvest opportunities and suggest the bobcat populations are low. The current regulations are an uneasy middle ground between these perspectives and seem to allow for a liberal harvest structure while maintaining bobcat populations. The Department desires to keep the current regulatory structure in place to maintain the balance of recreational opportunity and healthy populations but is willing to modify harvest timing for trappers without extending the season length. The Department does not have objections to adjusting the bobcat trapping season to begin as early as October 25 and going as late as February 1 provided the season length remains the same. However, the Department did not originally offer this change as a recommendation as it was unclear if this change would satisfy those trappers requesting a change to the harvest structure. This modification has low support from Department field staff who noted they have not been hearing requests for the change. No change is necessary from a biological or management perspective.

Trappers also requested an increase in bobcat bag limits, but this is a highly contentious issue that was discussed at length in the regulatory process in 2018. There have been no significant shifts in bobcat populations since that time that indicate an increase in bag limits is warranted. The Department recognizes that some trappers are frustrated the Department is not recommending an expansion of trapping opportunities in the UP. The Department considered these items internally prior to engaging with stakeholders but heard many requests that we review those ideas again. While discussing input from the Furtaker User Group, the Department re-considered the possibilities of increasing bag limits and season length. However, given the historical trends in bobcat populations and conflicting views of stakeholders, the Department elected not to recommend any season expansion or increase in bag limits. The Department has consistently worked toward expanding recreational opportunities for furbearers when it can be done in a biologically appropriate manner and will continue to do so.

During public comments at the February 10, 2022 NRC meeting and afterward, UP trapping organizations have made it clear they support an October 25 start date to a two-month (63 day) season. The Department supports the change to a two-month season beginning October 25 and ending December 26 now that it is supported by those organizations. This is consistent with the original narrative and intent of the recommendations made in the version of this memorandum submitted for information on January 18, 2022.

Raccoon Hunting and Trapping Season Dates

Trapping organizations have requested allowing raccoon trapping to begin earlier than the current start date so it aligns with the start date for raccoon hunting. During discussions, hunting organizations suggested that the hunting season should extend to match the closing date of the trapping season. The Department recommends extending the current hunting and trapping season dates so both hunting and trapping seasons start October 1 and end March 31.

Issues Pros and Cons

Aligning the start date of the trapping season with the start date of the hunting season and aligning the end date of hunting season with the end date of the trapping season will provide greater opportunity to harvest raccoons by both methods. This extends the trapping season by

14 days and extends the hunting season by 59 days. This also simplifies regulations and provides expanded opportunity to harvest raccoons and resolve negative impacts of high raccoon populations or damage caused by raccoons.

Biological

The Department supports increased harvest of this abundant species. However, significant increases in harvest are unlikely and the Department does not expect a biological impact.

Social

Both hunting and trapping organizations support this recommendation. Some stakeholders requested extending both seasons longer, primarily to provide additional opportunities to hunt and train with dogs.

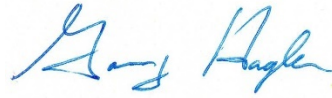
Economic

The Department does not expect an economic impact.

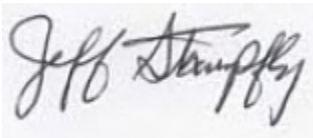
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on February 10, 2022, at the Natural Resources Commission meeting. This item appeared on the Department's January calendar and may be eligible for approval on March 10, 2022.



Jared Duquette, Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



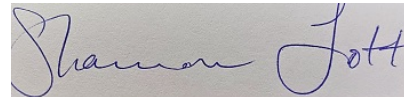
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Lott
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Daniel Eichinger, Director

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 1 of 2022

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective March 11, 2022, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.605 Raccoon hunting and trapping, seasons; taking raccoons doing or about to do damage, person taking considered permittee.

Sec. 3.605 (1) The open season for taking raccoon by hunting or trapping shall be October 1 to March 31.

(2) A property owner or their designee may take raccoon all year on property owned by the person when raccoons are doing or are about to do damage to the persons property. A person taking a raccoon under the authority of this subsection shall be considered a permittee as defined by section 5.50 of this order. A written permit is not required, and the person shall be authorized to take raccoon all year by otherwise lawful hunting and trapping methods.

3.608 Bobcat open seasons, season limit, closed areas, restrictions; kill tags and tagging requirements; registration requirements; unlawful acts.

Sec. 3.608 (1) The open season for taking bobcat by trapping in bobcat management units A and B shall be October 25 to December 26. The open season for taking bobcat by hunting in bobcat management units A and B shall be from January 1 to March 1.

(2) The open season for taking bobcat by trapping in bobcat management units C and D shall be from December 10 to December 29, using foothold traps or live-restraining cage traps only. The open season for taking bobcat by hunting in management unit C shall be from January 1 to March 1. The open season for taking bobcat by hunting in management unit D shall be from January 1 to February 1.

(3) The open season for taking bobcat by trapping in bobcat management unit G shall be from December 10 to December 29, using foothold traps or live-restraining cage traps only. The open season for taking bobcat by hunting in management unit G shall be from January 1 to January 20.

(4) The open season for taking bobcat by trapping in bobcat management unit H shall be from December 10 to December 20, using foothold traps or live-restraining cage traps only. The open season for taking bobcat by hunting in management unit H shall be from January 1 to January 11.

(5) The season limit shall be 2 bobcats per licensed resident fur harvester except an individual shall take not more than 1 bobcat from bobcat management unit B, and not more than 1 bobcat in bobcat management units C, and D, G, and H combined. A licensed resident fur harvester taking a second bobcat in bobcat management unit A shall take a bobcat on private land only, excluding commercial forest land.

(6) Through the day before the open bobcat season, a resident issued a fur harvester's license may obtain a free bobcat kill tag. A resident who intends to hunt or trap bobcat shall request and be issued up to 2 free bobcat kill tags. A resident shall not sell, loan, or permit in any manner another individual to use the bobcat kill tag or use or attempt to use another individual's bobcat kill tag. Free bobcat kill tags may be obtained only by a resident who is at least 8 years old, subject to section 2.14. An individual who kills a bobcat shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the bobcat from the upper jaw to the eye socket or through the lower jaw of the bobcat in a secure and permanent manner. An individual shall not tag a bobcat with a kill tag that is not valid for the unit in which the bobcat is taken. This kill tag shall remain attached to the bobcat until the

animal is registered and sealed by the department. An individual shall not possess a bobcat or bobcat hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (7).

(7) An individual that kills a bobcat shall present the pelt and skull of the bobcat to the department to be registered and sealed no later than 10 days following the close of the season in which it was taken. The pelt and skull shall be presented for sealing in person by the resident fur harvester that killed the animal and shall not be presented for sealing or registration by another individual. The individual presenting the bobcat pelt and skull shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain at least one tooth or the skull, at the discretion of the department, and attach an official seal to the pelt of each bobcat presented for examination. The seal shall be locked upon the hide in such a manner that it cannot be removed without cutting or ripping the bobcat pelt or damaging the seal. An official seal attached by the department shall not be removed from the bobcat pelt until the bobcat pelt is processed or tanned. Subsequent to 10 days following March 1, it shall be unlawful to possess a bobcat pelt without an official department seal attached unless the pelt has been processed or tanned or the bobcat season is open.

12.806d "Bobcat management unit D" defined.

Sec. 12.806d "Bobcat management unit D" means all of Arenac, Clare, Crawford, Gladwin, Iosco, Kalkaska, Missaukee, Ogemaw, Osceola, Roscommon, and Wexford counties.

12.806e Repealed. Am. 1, 2022, Eff. March 11, 2022.

Publisher's note: The repealed section pertained to "Bobcat management unit E".

12.806f Repealed. Am. 1, 2022, Eff. March 11, 2022.

Publisher's note: The repealed section pertained to "Bobcat management unit F".

12.806g "Bobcat management unit G" defined.

Sec. 12.806g "Bobcat management unit G" means all of Bay, Benzie, Grand Traverse, Isabella, Lake, Leelanau, Manistee, Mason, Mecosta, Midland, Newaygo, and Oceana counties.

12.806h "Bobcat management unit H" defined.

Sec. 12.806h "Bobcat management unit H" means all of Clinton, Gratiot, Ionia, Kent, Montcalm, Muskegon, Ottawa, Saginaw, and Shiawassee counties.

12.806x "Bobcat management unit X" defined.

Sec. 12.806x "Bobcat management unit X" means those portions of the Lower Peninsula not defined in bobcat management units C, D, G, or H.

Issued on this 10th day of March, 2022.

Approved as to matters over which the Natural Resources Commission has authority.

Carol Moncrieff Rose, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director